

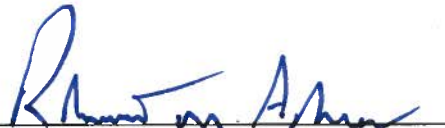
RESOLUTION NO. 2009-37

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, ESTABLISHING AS A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE SEDONA CITY CLERK AND ENTITLED "ATTACHMENTS 'A,' AND 'B,' PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE FROM THE PLANNING AND ZONING COMMISSION CONCERNING CLERICAL CORRECTIONS AND MINOR AMENDMENTS TO ARTICLE 2 (DEFINITIONS), ARTICLE 7 (SUBDIVISION REGULATIONS), ARTICLE 8 (GRADING AND DRAINAGE), ARTICLE 9 (DEVELOPMENT STANDARDS), ARTICLE 11 (SIGN REGULATIONS), AND ARTICLE 12 (NONCONFORMING SITUATIONS); AND "ATTACHMENT 'C', PROPOSED AMENDMENTS TO ARTICLE 15 (HISTORIC PRESERVATION ORDINANCE) AS RECOMMENDED BY THE HISTORIC PRESERVATION COMMISSION


BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, that those certain documents entitled " "Attachments 'A,' and 'B,' Proposed Amendments to the Land Development Code from the Planning and Zoning Commission Concerning Clerical Corrections and Minor Amendments to Article 2 (Definitions), Article 7 (Subdivision Regulations), Article 8 (Grading and Drainage), Article 9 (Development Standards), Article 11 (Sign Regulations), and Article 12 (Nonconforming Situations); and "Attachment 'C', Proposed Amendments to Article 15 (Historic Preservation Ordinance) as Recommended by the Historic Preservation Commission, "attached hereto, constitute public records to be adopted by reference pursuant to ARS 9-802 into Ordinance 2009-15.

At least three (3) copies of this public record shall be filed in the office of the City Clerk and kept available for public use and inspection.


APPROVED AND ADOPTED BY THE Mayor and Council of the City of Sedona, Arizona, this 13th day of October, 2009.


Rob Adams, Mayor

ATTEST:


Mary Gladieux, Acting City Clerk

APPROVED AS TO FORM:


Mike Goimarac, City Attorney

Attachment "A"

Amendments to the Sedona Land Development Code (As approved by City Council on 10/13/09)

CLERICAL/TYPOGRAPHICAL CORRECTIONS/AND CHANGES FOR PURPOSES OF ADDITIONAL CLARIFICATION

The following are proposed amendments to the Sedona Land Development Code. Additions to the regulations are shown in the **HIGHLIGHTED TEXT**. Deletions are shown with a ~~STRIKE THROUGH TEXT~~.

Article 7, Subdivision Regulations

1. Page 7-31, § 711.05 B. Condominiums and Condominium Conversions (Air Space Planning) Special Conditions

Delete the following section as it is in conflict with the parking standards in § 912 wherein all of the standards are consolidated and re-number.

~~B. A minimum of 2 parking spaces shall be provided for each dwelling unit. An additional parking space for guests shall be provided for each 2 dwelling units. Guest parking spaces may be open. For new developments, off-street parking spaces shall be located on the same lot as the condominium unit and shall be constructed as an integral part of the condominium unit.~~

Article 9, Development Standards

1. Page 9-37, § 911.04 A, Outdoor Lighting, New uses, buildings and major additions or modifications

Change language to delete references to the UBC.

A. If the total cumulative increase in floor area is greater than 50% for single-family residential or greater than 25% for all other uses, or if the total cumulative cost of any exterior modification, alteration or repair is greater than 25% of the valuation of the building as determined by the Director ~~in accordance with Section 304 (b) of the Uniform Building Code (as adopted and as amended by § 7-1-4 of the Sedona City Code)~~, then all outdoor lighting fixtures shall meet the requirements of this code for the entire site, including previously installed and any new outdoor lighting. Cumulative modification or replacement of outdoor lighting constituting 25% or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a non-conforming site, shall constitute a major addition for purposes of this section.

2. Page 9-37, § 911.04 B, Outdoor Lighting, Minor Additions

Change language to delete reference to the Uniform Building Code.

B. If the total cumulative increase in the floor area is 50% or less for single-family residential or 25% for all other uses, or if the total cumulative cost of any exterior modification, alteration or repair is less than 25% of the valuation of the building as determined by the Director ~~in accordance with Section 304 (b) of the Uniform Building Code (as adopted and as amended by § 7-1-4 of the Sedona City Code)~~, then full conformance of the existing portion of the building or structure is not required. However, such projects shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

3. Page 9-48, § 912.05E Site Development Standards for Off-Street Parking Areas

Correct typographical errors.

E. Driveways located near intersections on arterial highways and major collector roadways must maintain the corner clearances as indicated in Figures 9-7 44 and 9-45. At locations where the recommended corner clearances are not attainable because property frontages are narrow, a minimum corner clearance of 50 feet must be maintained. At such locations, left turns into and out of the driveway shall be prohibited, if in the opinion of the City Engineer and Director, a potential traffic safety concern is present.

4. Page 9-58, § 912.09 Accessible Parking

Correct the ARS code reference in text at D.2 to A.R.S. 28-884; strike City Code reference which is not on the provided signs; and, add language regarding the ratio of 1: 8 spaces for accessibility.

2. Signs shall be placed on a stationary post or object identifying each accessible parking space. Signage must include the international symbol of accessibility and have the minimum verbiage of: "RESERVED PARKING" and "A.R.S. § 28-8824" and ~~"City Code § 11-4-6"~~ and "Fines will be strictly enforced." At least 1 accessible parking sign in every eight accessible spaces shall include the words "Van Accessible."

5. Page 9-58, § 912.09 Accessible Parking



Correct ARS code reference in illustration from A.R.S. 28-883 to **A.R.S. 28-884**

Article 11, Sign Regulations

1. Page 11-6, § 1105.D.2, Exemptions

Correct typographical error.

2. Flag poles shall not exceed maximum height regulations as set forth in § 903.0510 of the City of Sedona Land Development Code.

Article 12, Nonconforming Situations

1. Page 12-3, § 1202.C, Nonconforming Developments

Change reference to the International Building Code and delete City Code reference.

C. If the total, cumulative increase in the floor area is 50% or less for single-family residential or 25% or less for all other uses, or if the total cumulative cost of any exterior modification, alteration or repair is 25% or less of the valuation of the building as determined by the Director in accordance with ~~Section 304 (b) of the Uniform the~~ **International** Building Code (as adopted and as amended by § 7-1-4 of the Sedona City Code), then full conformance of the existing portion of the building or structure is not required, except that:

2. Page 12-3, § 1202.D, Nonconforming Developments

Change reference to the International Building Code and delete City Code reference.

D. If the total, cumulative increase in the floor area is greater than 50% for single-family residential or greater than 25% for all other uses, or if the total cumulative cost of

any exterior modification, alteration or repair is greater than 25% of the valuation of the building as determined by the Director in accordance with ~~Section 304 (b) of the Uniform~~ the **International** Building Code (as adopted and as amended by ~~§ 7-1-4 of the Sedona City Code~~), then the entire building or structure and associated parking shall be in full conformance with the development standards of this Code (such as lighting, signage, landscaping, color and the like).

Attachment "B"

Amendments to the Sedona Land Development Code (As approved by City Council on 10/13/09)

MINOR AMENDMENTS

The following are proposed amendments to the Sedona Land Development Code. Additions to the regulations are shown in the **HIGHLIGHTED TEXT**. Deletions are shown with a ~~STRIKE THROUGH TEXT~~.

Article 2, Definitions

1. Alphabetize and add the following new Definitions:

Channel Bank: A stream channel boundary where a majority of normal discharges and channel forming activities takes place. This is at the break in slope, which is determined by a change of slope of 15 percent or greater or where the 25-year water surface elevation plus 1 foot of freeboard intersects the adjacent ground, at the top of a stream bank where the bank departs the channel. The channel bank boundary will contain the natural stream channel, floodway, and their associated banks. An appeal for determination through other criteria may be made with supportive documentation to the City Engineer.

Floodway: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1 foot in height (as defined by FEMA).

Article 7, Subdivision Regulations

1. Page, 7-19, § 706.04A Street and Driveway Design

Add the following language so that the standards are applicable to subdivisions as well as land divisions of metes and bounds parcels.

A. All streets shall be designed in accordance with the standards provided in Table 7.1 and as illustrated in Figures 7.1 through 7.3 below. **These street design requirements apply to subdivisions and land divisions of metes and bounds parcels.**

2. Page 7-21, Table 7.1

Add the following footnotes under Table 7.1 for clarification on specifications for sidewalks, ADA compliance, curbs, street surface material for street grades and minimum overhead clearance.

- The City promotes a walkable community. In light of this, a land division adjacent to an existing sidewalk or with 10 or more parcels or having 400 feet or more of frontage on an existing public street shall have sidewalk provided on a minimum of one side of the street as a contiguous route. The City Engineer and Director of Community Development may grant an exception for this requirement. All sidewalks shall meet current ADA requirements and will be covered by the warranty, for ADA compliance, as required by § 707.08.
- Curb shall comply with Section 707.04.B.
- Add notes, For 0%-12% longitudinal street grade, street surface shall be asphalt concrete. For 12%-15% (maximum) longitudinal street grade, street surface shall be grey concrete.
- Add note, the minimum overhead clearance shall be 13.5'.

3. Page 7-22, § 706.05 Street Naming

Change reference to “Verde Valley” area for public safety reasons.

New street names shall not duplicate or be similar to those already in existence in the ~~greater Sedona~~ Verde Valley area. Where streets are continuations of existing streets, the name of the existing street shall be used. Proposed street names shall be reviewed and approved by the City Engineer and Council.

4. Page 7-22, § 706.06C Easement Planning

Delete drainage width requirement in this section and make reference to Table 8.1 and add language regarding construction of buildings above drainage easements to allow removal/replacement of drainage facility.

C. Drainage easements shall be provided to the satisfaction of the City Engineer and the County Flood Control District. ~~In no case shall drainage easements be less than 20 feet in width.~~ Drainage easements shall be provided as required by Table 8.1. Such easements shall not necessarily prohibit construction over drainage ways so long as required flows are maintained. Buildings above drainage easements shall be constructed such that the supporting foundation bridges the drainage easement and allows for removal and replacement of the drainage facility.

5. Page 7-23, § 707.04A.1 Required Improvements for Subdivisions, Streets

New preface to include metes and bounds parcels.

1. These street design requirements apply to subdivisions and land divisions of metes and bounds parcels. ~~All streets within the boundary lines of the subdivision shall be improved in accordance with § 706.04 of this Code.~~

6. Page 7-23, § 707.04B Curbs

Clarify allowable types of curbs.

~~B. Where streets are to be paved, a concrete curb, curb and gutter or valley gutter, as specified in § 706.04 of this Code, shall be installed in accordance with approved city standards. When density of development is low or where for other reasons, such as to provide or maintain a rural atmosphere, the installation of curb and gutter is not considered necessary, the Council may waive this requirement for 1 or both sides of local streets. Vertical curbs shall be installed along arterial and collector streets and on streets along school or park property.~~ Vertical curbs shall be installed along arterial and collector streets and on streets along school, park, or commercial property. Rolled curb may be allowed on streets in residential areas with 2000 ADT or less. In certain cases the City Engineer may require vertical curb. Where rolled curb is allowed, 5 feet of vertical curb shall be provided on both sides of a sidewalk ramp.”

7. Page 7-24, § 707.04J Storm Drainage

Update reference to current version of Drainage Criteria Manual.

J. Proper and adequate provisions shall be made for disposal of storm water entering, as well as that originating in the development. This shall apply to grading of private properties, private access ways and to public streets. Existing major watercourses shall be maintained. The type, extent, location and capacity of drainage facilities for a subdivision shall be as required by the City Engineer in accordance with the approved hydrology report.

Increases in on-site storm runoff due to development shall be addressed in the hydrologic/hydraulic analysis and shall meet the criteria set forth in Appendix “A,” ~~“Yavapai County Flood Control District Reference Stormwater Detention Manual (2/15/89).”~~ **“Yavapai County Drainage Criteria Manual” (1998, with current revisions through 2005).** This document is on file with the City Engineer. When drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters may be required.

8. Page 7-29, § 710.01 Land Divisions (Purposes)

Adds road standards and reference to governing section and change the word “ministerial” to “administrative” to better describe the review process

In order to ensure that the minor division of land complies with applicable zoning regulations, does not create land-locked parcels, and does not constitute a subdivision, it is necessary to establish an ~~ministerial~~ **administrative** review of all land divisions. In no way is it intended by this Article to prohibit or prevent the minor division of land as authorized and permitted by Arizona state law and the city and these subdivision regulations. **Road standards shall meet the requirements of Section 706.04.**

9. Page 7-29, § 710.06 Action of the Director

Adds three other criteria (street design, wastewater and storm-water requirements) considered for denial.

710.06 Action of the Director. Upon receipt of a complete application, the Director shall approve or deny the permit within 5 working days. A denial can be based on 1 of the following findings:

- A. The parcels resulting from the division do not conform to applicable zoning regulations;
- B. The division of land would result in a subdivision as defined by this Code;
- C. One or more of the resulting parcels is landlocked.
- D. The street design requirements of §706 have not been met.
- E. The wastewater requirements as determined by the City Engineer have not been met.
- F. The storm water requirements as determined by the City Engineer have not been met.”

10. Article 7, Subdivision Regulations (Title of Article) Page 7-1 through 7-32

Change title of Article from “Subdivision Regulations” to “Subdivision Regulations and Land Divisions” in this Article and in all references throughout the Land Development Code accordingly.

Article 8, Grading and Drainage

1. Page 8-4, § 803.01 Permit Required, Exceptions

Add language regarding no obstructions in drainage areas.

Drainage. No person shall obtain a building permit, required by the Building Code of the city, for work in or over any drainageway or floodplain without first complying with this article. No obstruction shall be placed within a drainage facility, roadside ditch, wash, or drainage easement, including but not limited to walls and fences, unless authorized by the City Engineer. In no case shall alteration of any drainageway identified on a USGS topographic map as a permanent or intermittent watercourse be permitted, except as allowed in § 803.02

2. Page 8-8, § 803.03E.1 Filling and Excavation

Describe fill to include compacted or contained.

A-**Compacted or contained** fill less than 1 foot in depth and placed on natural terrain with a slope flatter than 5 horizontal to 1 vertical or less than 3 feet in depth, not intended to support structures and which in either case, the fill shall not exceed 50 cubic yards on any 1 site and, in either case, shall not obstruct a drainage course.

3. Page 8-8, § 803.03F Filling and Excavation

New section added regarding the placement of fill or excavated material from a grading project on other properties within the City.

F. At least five City working days prior to the placement of fill or excavated material from a grading project within the City on other properties located within the City, the City Public Works Department shall be notified in writing of the intent to place the material on other property. This requirement shall apply when the total amount of material placed on other properties within the City exceeds 40 cubic yards or if the other property on which the fill is to be placed is located within 0.75 mile of Oak Creek, or lies within a City designated flood plain. Pursuant to the provisions of this Code and other City, state, or Federal regulations, the City Engineer may approve or deny permission to place such material. This requirement shall apply to all grading within the City, whether a specific permit is issued or not.

4. Page 8-12, §805.06B Drainage Design and Treatment

Add new Section B.2. regarding replacement of existing facilities; and renumber.

2. Replacement of Existing Facilities. When replacing an existing storm drainage facility the design flow may be utilized for analysis per Table 8.1. However, the 100-yr flow must be checked to insure the floodplain has not been increased in width or elevation. The replacement shall not result in increased flood for the design or 100 year storm.

5. Page 8-12A Table 8.1 Drainage Criteria

Further details added to Minimum street slopes; building setback from channel bank and floodway; storm frequency; post-development flow; maximum drain time, and adding definitions as follows:

Section 1:

Revise under “Minimum Street Slopes”: Longitudinal: 0.5% (curbed and rural streets) with 1% minimum transverse slope.

Section 4:

Add: Building Setback from Channel Bank and Floodway: 1.5 x the channel depth, unless otherwise approved by the City Engineer for engineering reasons. However, in any case, the more restrictive requirements within Article 8 shall apply.

Section 5:

Revise under “Storm Frequency”: 2, 10, 25 and 100 yr. Storms

Revise under “When Required”: 1-acre or larger development or when post-development flow will exceed pre-development flow by ≥ 1 cfs.

Revise under “Maximum Drain Time: ~~24 hours~~ 12 hrs for upstream watershed areas ≤ 10 ac. and 24 hrs for an upstream watershed area > 10 ac.

Table 8.1

Drainage Criteria City of Sedona			
No.	Stormwater Components	Design Items	City of Sedona
1.0	Street & Pavement Drainage	Storm Frequency:	2-yr 100-yr
		Allowable Spread:	
		Local Streets	1-12 foot lane clear within ROW
		Collector Streets	1-12 foot lane clear within ROW
		Arterial Streets	open each way within ROW
		Minimum Street Slopes:	
		Longitudinal	0.50% (curbed and rural streets)
2.0	Storm Drains	Storm Frequency:	2-yr <u>DA</u> ≤ 160 acres
			10-yr <u>DA</u> ≥ 160 acres
		Minimum Pipe Size:	
		Main Line	24-in
		Other	18-in
		Minimum Velocity:	
		Desirable	5 fps
		Absolute	3 fps
		Max. Manhole Spacing:	
		Small Pipe:	D < 30 in. 300 ft
		Medium Pipe:	30 in. ≤ D ≤ 45 in. 400 ft
		Large Pipe:	D ≥ 45 in. 500 ft
		Drainage Easement:	
		Small Pipe:	D ≤ 36 in. 16 ft
		Large Pipe:	D > 36 in D + 16 ft

Drainage Criteria City of Sedona				
No.	Stormwater Components	Design Items	City of Sedona	
3.0	Culverts	Storm Frequency:	25-yr (roadway cross.)	100-yr (roadway cross.)
			2-yr (roadside ditches)	≤160 acres
			10-yr (roadside ditches)	≥160 acres
		Overtopping Limit:	no overtopping (25-yr)	12-in. max. (100-yr)
		Secondary access D.A. > 1/4 sq. mi.		
		Maximum HW/D Ratio:	1.5	
		Minimum Pipe Size:		
		Roadways	24-in.	
		Driveways	15-in	
		Velocity Limits:		
		Minimum	3.0 fps	
		Maximum		
4.0	Open Channels	Storm Frequency:	25-yr	100-yr (check)
		Froude No:	$FN \leq 0.86$; $1.13 \leq FN \leq 2.0$	
		Freeboard (Minimum):		
		Subcritical Flow	$FB = 0.25[y + (v^2/2g)]$ (1-ft min.)	
		Supercritical Flow	$FB = 0.25[y + (v^2/2g)]$ (2-ft min.)	
		Maintenance Road:	12 ft wide, one side of channel	
		Maximum Velocity:	per channel lining material	
		Maximum Side Slope:	(ss = from slope stability analysis)	
		Vegetal/Earth	3:1 or ss	
		Loose Riprap	3:1 or ss	
		Rigid Lining	ss	
		Shotcrete	1:1	
		Soil Cement	1:1	

Drainage Criteria City of Sedona			
No.	Stormwater Components	Design Items	City of Sedona (Proposed)
5.0	Stormwater Storage	Storm Frequency:	2-, 10-, and 100-yr storms
		Criteria:	post-proj. Q \leq pre-proj. Q
		When Required:	1-acre or larger development.
		Maintenance Road:	12-ft access road.
		Maximum Depth:	
		Parking Areas	
		Emergency Spillway	pass post-developed 100-yr Q
		Maximum Drain Time:	24 hours
		Freeboard (Minimum):	1-ft (post developed 100-yr event)
		Min. Principal Outlet:	12-inch
		Maximum Side Slopes	
		Depth < 3-ft	2:1, protected; 3:1, unprotected
		Depth \geq 3-ft	4:1

6. Page 8-12, §805.06 Drainage and Treatment

Add new section "G" and new accompanying tables 8.2 and 8.3 regarding precipitation frequency estimates to be used for design storm frequencies.

805.06.G. Precipitation data shall be per Tables 8.2 and 8.3. The mean precipitation frequency estimates provided in Table 8.2 may be used for design storm frequencies up to the 10 year storm. The upper limit precipitation frequency estimates provided in Table 8.3 shall be used for design storm frequencies greater than the 10 year storm.

These precipitation frequency estimates were obtained from the NOAA Atlas 14. Data was retrieved for the Sedona Ranger Station in Sedona, Arizona (Longitude (dd) -111.7667, Latitude (dd) 34.8667, Elevation (feet) 4232).

Table 8.2

MEAN PRECIPITATION FREQUENCY ESTIMATES															
Freq (yr)	5-min	10-min	15-min	30-min	60-min	120-min	3-hr	6-hr	12-hr	24-hr	2-day	4-day	7-day	10-day	20-day
1	0.21	0.33	0.40	0.54	0.67	0.80	0.86	1.05	1.34	1.72	2.02	2.33	2.74	3.13	4.06
2	0.28	0.42	0.52	0.70	0.86	1.01	1.08	1.30	1.66	2.14	2.52	2.91	3.41	3.88	5.03
5	0.37	0.56	0.70	0.94	1.16	1.33	1.39	1.61	2.03	2.66	3.14	3.65	4.23	4.79	6.11
10	0.45	0.68	0.85	1.14	1.41	1.60	1.65	1.89	2.33	3.08	3.64	4.25	4.91	5.51	6.92
25	0.56	0.85	1.06	1.43	1.77	1.99	2.03	2.28	2.75	3.67	4.33	5.10	5.86	6.48	7.97
50	0.66	1.00	1.24	1.67	2.06	2.31	2.35	2.60	3.07	4.13	4.87	5.78	6.62	7.23	8.75
100	0.76	1.15	1.43	1.93	2.38	2.67	2.71	2.96	3.41	4.61	5.44	6.50	7.41	8.00	9.51
200	0.87	1.32	1.64	2.20	2.73	3.06	3.10	3.32	3.75	5.10	6.03	7.25	8.24	8.78	10.24
500	1.03	1.56	1.94	2.61	3.23	3.63	3.66	3.87	4.22	5.76	6.83	8.30	9.38	9.82	11.18
1000	1.16	1.77	2.19	2.95	3.65	4.10	4.13	4.31	4.60	6.30	7.46	9.13	10.29	10.61	11.86

Table 8.3

UPPER LIMIT PRECIPITATION FREQUENCY ESTIMATES															
Freq (yr)	5-min	10-min	15-min	30-min	60-min	120-min	3-hr	6-hr	12-hr	24-hr	2-day	4-day	7-day	10-day	20-day
1	0.26	0.39	0.48	0.65	0.80	0.93	0.99	1.16	1.49	1.88	2.23	2.57	3.00	3.43	4.43
2	0.33	0.50	0.62	0.83	1.03	1.18	1.26	1.44	1.84	2.36	2.79	3.21	3.75	4.27	5.50
5	0.44	0.67	0.83	1.12	1.39	1.55	1.60	1.79	2.24	2.94	3.47	4.02	4.64	5.26	6.68
10	0.54	0.82	1.01	1.36	1.69	1.87	1.91	2.10	2.57	3.41	4.01	4.68	5.39	6.05	7.56
25	0.67	1.02	1.26	1.70	2.10	2.31	2.34	2.54	3.03	4.05	4.77	5.60	6.43	7.10	8.70
50	0.78	1.19	1.47	1.98	2.46	2.69	2.71	2.89	3.38	4.55	5.36	6.34	7.27	7.94	9.56
100	0.90	1.37	1.70	2.29	2.84	3.12	3.14	3.29	3.76	5.08	5.99	7.14	8.16	8.80	10.40
200	1.03	1.57	1.95	2.63	3.25	3.57	3.59	3.72	4.14	5.63	6.66	7.97	9.06	9.66	11.21
500	1.23	1.88	2.33	3.13	3.88	4.24	4.27	4.37	4.70	6.40	7.56	9.18	10.37	10.84	12.26
1000	1.40	2.13	2.65	3.56	4.41	4.79	4.85	4.90	5.15	7.02	8.28	10.15	11.39	11.74	13.05

7. Page 8-12D, §806.01B, Grading Permit Limitations and Conditions, General

Add the following language to include the Army Corps of Engineers.

- B. Jurisdiction of other agencies. Permits issued under the requirements of this article shall not relieve the owner of responsibility for securing required permits for work to be done which is regulated by any other ordinance, department or division of the city or other governing agency- **including but not limited to the Army Corps of Engineers.** A grading permit shall not be issued until all required permits are obtained from the Arizona Department of Environmental Quality, the County Health Departments, the County Flood Control District and other agencies of jurisdiction. For commercial projects, a city right-of-way permit shall be required for all work performed within city rights-of-way. For detached single-family residential permits, the grading permit shall be sufficient for all work confined within the property lines, and typical driveway connections to the street, and associated landscaping and drainage devices. Every attempt shall be made

to do no work, or store no materials within city rights-of-way (i.e. porta-potties, dumpsters, construction materials, etc.). In the event that this is not possible, a right-of-way permit shall be secured prior to working within, or placing anything within, the right-of-way. In the event that unloading of materials or equipment onto the site from the right-of-way takes place, proper traffic control methods, including flagmen, shall be provided at all times. Extensive street blockages require a right-of-way permit.

8. Page 8-16, § 809.04 Regular Grading Requirements

Substitute “City Engineer” for “Director” for consistency.

In lieu of providing assurance of construction in the manner provided above in this section, the permittee may provide assurance of construction for grading improvements by delivering to the ~~Director~~ **City Engineer**, prior to the issuance of a permit, an appropriate agreement between an approved lending institution and the permittee, stating that funds sufficient to cover the entire cost of performing the proposed work, including engineering and inspection costs, in an amount approved by the City Engineer, have been deposited with such approved lending institution, or have been committed to be loaned by such lending institution to the permittee. Such agreement shall provide that such funds in the stated amount are specifically allocated and will be used by the permittee, or on his behalf, only for the purpose of performing the grading improvements. The city shall be the beneficiary of such agreement or the permittee’s rights thereunder shall be assigned to the city, and the ~~Director~~ **City Engineer** shall approve each disbursement of any such funds. The agreement may also contain terms, conditions and provisions normally included by such lending institutions in loan commitments for construction funds, or as may be necessary to comply with statutes, codes and rules applicable to such lending institutions. In the event a bond or approved assurance for the proposed work is provided through some other ordinance or stipulation, a second assurance to fulfill this article shall not be required.

Article 9, Development Standards

1. Page 9-2, §901.03G Encroachments into Yards

Add language to include pool/spa equipment 5’ from property lines when screened.

- G.** Swimming pools and spas, including all accessory or appurtenant structures and equipment, shall maintain a minimum setback of 5 feet from all property lines and buildings. **Pool and spa equipment may be permitted less than 5 feet from property lines when fully screened by a solid masonry wall from the neighboring property.** Swimming pools and spas, including all accessory or appurtenant structures and equipment that are located within a platted building envelope that is surrounded by open space held in common by an owners

association may be permitted less than 5 feet from the property line provided that there are no encroachments into the common area.

2. Page 9-6, §903.01C, Exposed Mass Heights (Single Family Residential Buildings and Structures)

Add language to clarify measurements from finish grade, not natural grade.

- C. An exterior wall of a building on any slope category shall not have an unbroken height of more than 22 feet measured to ~~from the natural~~ finish grade at the ~~horizontal midpoint at the base of the wall to the midpoint~~ highest point of the wall. For the purposes of this section, the height of gable end walls shall be measured from the midpoint on the wall between the average top plate height and the roof ridge to ~~natural~~ finish grade at the ~~horizontal~~ midpoint of the ~~base of the~~ wall. (See *Figure 9-6*) Additional height to a maximum of 27 feet is allowed, provided that the overall building height is within the limitations of the other governing criteria in this section or § 905, and if ~~+~~ one or more of the following apply:

3. Page 9-11, §903.02D, Exposed Mass Heights (Multi-Family Residential Buildings and Structures)

Add language to clarify measurements from finish grade, not natural grade.

- D. An exterior wall of a building shall not have an unbroken height of more than 22 feet measured to ~~from the natural~~ finish grade at the ~~horizontal midpoint of the base of the wall to midpoint~~ the highest point of the wall. For the purposes of this section, the height of gable end walls shall be measured from the midpoint on the wall between the average top plate height and the roof ridge to ~~natural~~ finish grade at the ~~horizontal~~ midpoint of the ~~base of the~~ wall. (See *Figure 9-19*) Additional height to a maximum of 27 feet is allowed provided that the overall building height is within the limitations of the other governing criteria in this section or § 905, and if one or more of the following apply:

4. Page 9-16, §903.03D, Exposed Mass Heights (Commercial, Public and Semi-Public Buildings and Structures)

Add language to clarify measurements from finish grade, not natural grade.

- D. An exterior wall of a building shall not have an unbroken height of more than 24 feet measured to ~~from the natural~~ finish grade at the ~~horizontal midpoint of the wall to the midpoint~~ highest point of the wall. For the purposes of this section the height of gable end walls shall be measured from the midpoint on the wall between the average top plate

height and the roof ridge to natural finish grade at the midpoint of the base of the wall. (See *Figure 9-30*) Additional height to a maximum of 27 feet is allowed provided that the overall building height is within the limitations of the other governing criteria in this section or § 905, and if one or more of the following apply:

5. Page 9-18, §903.07B, Walls and Fences

Add reference to another section.

B. Except as provided in paragraphs C and D. below, in any required front or street side yard area, an opaque or solid wall or fence shall not exceed 3 feet in height. Non-opaque corral fences may be established in any required front or street side yard area to a maximum height of 6 feet where permitted in RS-5A, RS-70, RS-36 and RS-35 zoning districts.

6. Page 9-18, §903.07D, Walls and Fences

Add permissible 6 ft. chain link fence and color requirements in C-3.

D. A wall or fence not more than 6 feet in height may be maintained along the interior side or rear lot lines, provided that this wall or fence does not extend into any required front yard. A 6-foot high chain link fence may be permitted within the front yard setback in the C-3 zoning district. Unpainted chain link fences are prohibited. Painted chain link fences shall be of a non-reflective color, compatible with the natural character of the site and surrounding area (such as brown, beige, green, and the like)- and shall meet the exterior color requirements of § 904.01.

7. Page 9-32, §910.05L.4f, General Landscape Requirements and Regulations

Adds reference to another section of the Code and meeting the satisfaction of the Director.

f. Shrubs and trees proposed within a visibility triangle shall adhere to the standards set forth in § 910.09 (Sight Distance) to the satisfaction of the Director. ~~located within 20 feet of a vehicular intersection shall be maintained to provide visual clearance between 2 1/2 and 5 feet above grade and shall not conflict with § 910.09 (Sight Distance);~~

8. Page 9-42, §912.03B, Parking Spaces Required, Shared Parking

Updates reference.

B. For separate uses located on the same or adjacent properties which are not operated simultaneously, a shared parking arrangement may be allowed if it is in accordance with the Institute of Transportation Engineers (ITE) Standards for shared parking (current edition) and the Urban Land Institute publication, *Shared Parking Second Edition (2005, Mary S. Smith et al)* on shared parking, September 1983, and approved by the Director.

9. Page 9-43, §912.03F, Parking Spaces Required, Addition of Requirements

Add new subsection regarding additional parking requirements due to the unique nature of the proposed and existing land uses of the site and surrounding area.

F. Addition of requirements. Parking requirements in addition to Table 9-I Schedule of Off Street Parking Requirements may be required by the Director based on the unique nature of proposed and existing land uses on the site and surrounding area. The Director shall consider increased vehicular traffic and/or on-street parking impacts to adjacent areas and neighborhoods when determining additional parking requirements.

10. Page 9-46, Table 9-1, Schedule of Off-Street Parking Requirements

Add a new category to the table and alphabetize.

Health and spa facility, massage therapy, yoga studio

- a. 1 parking space for each 200 square feet of gross floor area.
- b. On the same property in conjunction with a Lodging or Resort Commercial establishment, 1 parking space for each 400 square feet of gross floor area.

11. Page 9-50, §912.05 Site Development Standards for Off-Street Parking Areas

Adds new language regarding compact parking spaces.

M. Except as provided below, no more than 10 percent of the total on-site parking spaces may be compact spaces. Compact parking space sizes shall be 8 feet wide by 18 feet long for 90 degree parking or the equivalent dimensions required for an angle space to maintain the 8 foot by 18 foot rectangle. A total of 15 percent compact spaces may be permitted if an additional 5 percent of the total on-site parking

spaces are provided as off-site shared parking, as approved by the Director or City Engineer. Compact spaces shall be clearly signed and marked "Compact Only." Signs shall be per the Manual on Uniform Traffic Control Devices (MUTCD) and lettering striping shall be a minimum height of 12 inches stating "Compact Only."

10. Page 9-50, §912.05 Site Development Standards for Off-Street Parking Areas

Adds new language regarding the use of compact parking spaces for motorcycle parking spaces.

- N. Thirty percent of the total permitted compact spaces may be motorcycle spaces. Motorcycle parking space sizes shall be 4 feet wide by 16 feet long for 90 degree parking or the equivalent dimensions required for an angle space to maintain the 4 foot by 16 foot rectangle. Motorcycle spaces shall be clearly signed and marked "Motorcycle Only." Signs shall be per the MUTCD and lettering striping shall be a minimum height of 12 inches stating "Motorcycle Only".

Article 15, Historic Preservation

The Planning and Zoning Commission has no recommendation on the proposed language change to Article 15 and defers to the Historic Preservation Commission on this matter.

1. Page 15-11, § 1507 Historic Landmark Designation Process

Clarify intent by adding the "or" and "and" to the list of criteria thereby emphasizing the last two as threshold criteria for landmark designation.

1507.03 Landmark Designation Criteria. The Commission shall evaluate each structure, site, building or property within an area that is included in an application and may designate it as a landmark if it is determined to have historical or other cultural significance or integrity, and is suitable for preservation, using the following criteria:

- A. Association with events that have made significant contributions to the broad patterns of our history-or
- B. Association with the lives of persons significant in our past-or
- C. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctions-or

- C. Yielding information important in the understanding of the pre-history or history of our community--and
- D. Being at least 50 years old, or having achieved significance within the past 50 years if the property is of exceptional importance--and
- E. Possessing integrity of location, design, setting, materials, workmanship, feeling or association.

Attachment "C"

Proposed Amendments to the Sedona Land Development Code (As approved by City Council on 10/13/09)

MINOR AMENDMENT

The following is a proposed amendment to the Sedona Land Development Code. Additions to the regulations are shown in the **HIGHLIGHTED TEXT**. Deletions are shown with a ~~STRIKE THROUGH TEXT~~.

Article 15, Historic Preservation Ordinance

1. Page 15-11, § 1507 Historic Landmark Designation Process

Clarify intent by rewording to emphasize the two criteria related to age and significance, and integrity as mandatory for landmark designation.

1507.03 Landmark Designation Criteria. The Commission shall evaluate each structure, site, building or property within an area that is included in an application and may designate it as a landmark if it is determined to ~~have historical or other cultural significance or integrity~~, and is suitable for preservation, using the following ~~criteria~~: possess integrity of location, design, setting, materials, workmanship, feeling and association; and, being at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits one or more of the following:

- A. Association with events that have made significant contributions to the broad patterns of our history; or
- B. Association with the lives of persons significant in our past; or
- C. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master, or high artistic values or representing a significant and distinguishable entity whose components may lack individual ~~distinctions~~ distinctiveness; or
- D. ~~Yielding~~ Information important in the understanding of the pre-history or history of our community.
- E. ~~Being at least 50 years old, or having achieved significance within the past 50 years if the property is of exceptional importance.~~
- F. Possessing integrity of location, design, setting, materials, workmanship, feeling or association.